

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

2006 JUN -1 AM 10: 28

OFFICE OF THE CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

8:05CV20

DECREE OF FORFEITURE

TWENTY-ONE FIREARMS MORE

PARTICULARLY DESCRIBED AS FOLLOWS:

Browning, 12-gauge shotgun, model Citori, serial number
13310RTJ53; Browning, 12-gauge shotgun, model Auto 5
Mag, serial number 72V10589; Browning, 12-gauge
shotgun, model Invector BPS, serial number 03490PN192;
Browning, .22 caliber rifle, model unknown, serial number
08268PM146; Remington, 20-gauge shotgun, model
Wingmaster 870, serial number V890241X; Remington,
20-gauge shotgun, model 870 Express Magnum, serial
number A695911U; Remington, 20-gauge shotgun, model
11-48, serial number 5819156; Remington, 270-caliber
rifle, model 700LH, serial number 6808843; Savage,
20-gauge shotgun, model B series H, serial number
D423333; Winchester, 30-30 caliber rifle, model 94, serial
number 3630140; Winchester, 12-gauge shotgun, model
1400, serial number 206562; Harrington and Richardson,
10-gauge shotgun, model 176, serial number AY560776;
Western Arms, 20-gauge shotgun, model unknown, serial
number 43569D; Marlin, .22 caliber rifle, model 25N,
serial number 99398834; Benelli, 12-gauge shotgun, model
Super Black Eagle, serial number U027537; Ruger, .223
caliber rifle, model unknown, serial number 187-45642;
Ruger, .22 caliber rifle, model 10/22, serial number
248-33515; Savage, 22-250 caliber rifle, model 110C-L,
serial number 111177; Winchester, 30-30 caliber rifle,
model 94AE, serial number 6211874; Ruger, 9mm
handgun, model P89DC, serial number 302-78909; Colt,
.357 caliber revolver, model Trooper MKIII, serial number
L16362; AND AN ASSORTMENT OF AMMUNITION,

Defendants.

NOW ON THIS 1st day Jun-1, 2006 ^{R612}
~~day of May~~, 2006, this matter comes on before the Court upon the

Stipulation of the parties (Filing No.23). The Court reviews the file and the Stipulation, and, being duly advised on the premises, finds as follows:

1. The following described firearms:

- a. Browning, 12-gauge shotgun, model Citori, serial number 13310RTJ53;
- b. Browning, 12-gauge shotgun, model Invector BPS, serial number 03490PN192;
- c. Browning, .22 caliber rifle, model unknown, serial number 08268PM146;
- d. Remington, 20-gauge shotgun, model Wingmaster 870, serial number V890241X;
- e. Remington, 270-caliber rifle, model 700LH, serial number 6808843;
- f. Savage, 20-gauge shotgun, model B series H, serial number D423333;
- g. Benelli, 12-gauge shotgun, model Super Black Eagle, serial number U027537;
- h. Ruger, .223 caliber rifle, model unknown, serial number 187-45642;
- i. Ruger, .22 caliber rifle, model 10/22, serial number 248-33515;
- j. Savage, 22-250 caliber rifle, model 110C-L, serial number 111177;
- k. Winchester, 30-30 caliber rifle, model 94AE, serial number 6211874;
- l. Ruger, 9mm handgun, model P89DC, serial number 302-78909

will be turned over to the Claimants' son, Michael Nelson.

2. In addition to the twenty-one firearms listed in the Plaintiff's Verified Complaint, there were five other firearms seized by the Bureau of Alcohol, Tobacco and Firearms ("ATF") in the same instance and included in the ATF administrative forfeiture procedure. Those firearms are described as follows:

- a. Browning, 20-gauge shotgun, model unknown, serial number 70A54646;
- b. H. Koon, 410-gauge shotgun, model unknown, serial number 11201;
- c. Winchester, 30-30 caliber rifle, model Canadian Centennial, serial number 39665;
- d. Mossberg, .22 caliber rifle, model unknown, no serial number;
- e. Ranger Arms, .22 caliber rifle, model 25, no serial number

Of those firearms, the Browning, 20-gauge shotgun, model unknown, serial number 70A54646 will be turned over to the Claimants' son, Michael Nelson. The remaining four firearms will be considered forfeited to the United States.

3. Pursuant to this Court's Order dated January 31, 2005(Filing No. 6), ATF has published notice of his intent to dispose of the properties in such a manner as the Attorney General may direct. An Affidavit of Publication was filed herein on March 29, 2005(Filing No. 12). In response to said published notice, no person or entity, other than the Claimants, has filed a Petition setting forth any legal or equitable interest in the Defendant properties.

4. The following-described firearms and ammunition:

- a. Browning, 12-gauge shotgun, model Auto 5 Mag, serial number 72V10589;

- b. Remington, 20-gauge shotgun, model 870 Express Magnum, serial number A695911U;
- c. Remington, 20-gauge shotgun, model 11-48, serial number 5819156;
- d. Winchester, 30-30 caliber rifle, model 94, serial number 3630140;
- e. Winchester, 12-gauge shotgun, model 1400, serial number 206562;
- f. Harrington and Richardson, 10-gauge shotgun, model 176, serial number AY560776;
- g. Western Arms, 20-gauge shotgun, model unknown, serial number 43569D;
- h. Marlin, .22 caliber rifle, model 25N, serial number 99398834;
- i. Colt, .357 caliber revolver, model Trooper MKIII, serial number L16362;
- j. H. Koon, 410-gauge shotgun, model unknown, serial number 11201;
- k. Winchester, 30-30 caliber rifle, model Canadian Centennial, serial number 39665;
- l. Mossberg, .22 caliber rifle, model unknown, no serial number;
- m. Ranger Arms, .22 caliber rifle, model 25, no serial number;
- n. the assortment of ammunition held by ATF in connection with this case

should be considered forfeited to the United States.

5. The parties' Stipulation should be approved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The parties' Stipulation is hereby approved.

B. The following described firearms:

1. Browning, 12-gauge shotgun, model Citori, serial number 13310RTJ53;
2. Browning, 12-gauge shotgun, model Invector BPS, serial number 03490PN192;
3. Browning, .22 caliber rifle, model unknown, serial number 08268PM146;
4. Remington, 20-gauge shotgun, model Wingmaster 870, serial number V890241X;
5. Remington, 270-caliber rifle, model 700LH, serial number 6808843;
6. Savage, 20-gauge shotgun, model B series H, serial number D423333;
7. Benelli, 12-gauge shotgun, model Super Black Eagle, serial number U027537;
8. Ruger, .223 caliber rifle, model unknown, serial number 187-45642;
9. Ruger, .22 caliber rifle, model 10/22, serial number 248-33515;
10. Savage, 22-250 caliber rifle, model 110C-L, serial number 111177;
11. Winchester, 30-30 caliber rifle, model 94AE, serial number 6211874;
12. Ruger, 9mm handgun, model P89DC, serial number 302-78909;
13. Browning, 20-gauge shotgun, model unknown, serial number 70A54646

shall be turned over to the Claimants' son, Michael Nelson.

C. Pursuant to this Court's Order dated January 31, 2005(Filing No. 6), the Marshal has published notice of his intent to dispose of the properties in such a manner as the Attorney General may direct. An Affidavit of Publication was filed herein on March 29, 2005(Filing No. 12). No person or entity, other than the Claimants, has filed a Petition, in response to said published notice, setting forth any legal or equitable interest in the subject property.

D. The following-described firearms and ammunition:


1. Browning, 12-gauge shotgun, model Auto 5 Mag, serial number 72V10589;
2. Remington, 20-gauge shotgun, model 870 Express Magnum, serial number A695911U;
3. Remington, 20-gauge shotgun, model 11-48, serial number 5819156;
4. Winchester, 30-30 caliber rifle, model 94, serial number 3630140;
5. Winchester, 12-gauge shotgun, model 1400, serial number 206562;
6. Harrington and Richardson, 10-gauge shotgun, model 176, serial number AY560776;
7. Western Arms, 20-gauge shotgun, model unknown, serial number 43569D;
8. Marlin, .22 caliber rifle, model 25N, serial number 99398834;
9. Colt, .357 caliber revolver, model Trooper MKIII, serial number L16362;
10. H. Koon, 410-gauge shotgun, model unknown, serial number 11201;

11. Winchester, 30-30 caliber rifle, model Canadian Centennial, serial number 39665;
12. Mossberg, .22 caliber rifle, model unknown, no serial number;
13. Ranger Arms, .22 caliber rifle, model 25, no serial number;
14. the assortment of ammunition held by ATF in connection with this case

are forfeited to the United States of America.

D. Any right, title or interest in or to the properties described in paragraph no. C, above, held by any person or entity is hereby forever barred and foreclosed.

E. The weapons and assortment of ammunition set forth in paragraph no. C, above, shall be disposed of by ATF in accordance with law.

BY THE COURT:


RICHARD G. KOPF
UNITED STATES DISTRICT JUDGE

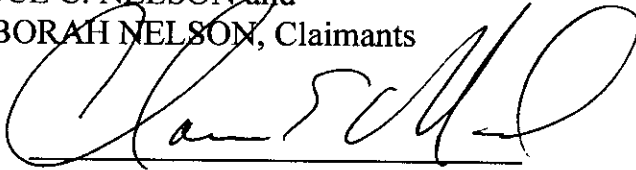
Prepared and submitted by:

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Approved as to form and content:

TWENTY-ONE FIREARMS AND
AN ASSORTMENT OF
AMMUNITION, Defendants, and
BRUCE C. NELSON and
DEBORAH NELSON, Claimants

By:

A handwritten signature in black ink, appearing to read 'Clarence E. Mock', written over a horizontal line.

CLARENCE E. MOCK (#15443)

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